

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

ADIDAS AMERICA, INC and ADIDAS  
SALOMON AG,  
Plaintiffs,

v.  
KMART CORPORATION; FOOTSTAR, INC.;  
MERCURY INTERNATIONAL TRADING CORP.;  
ELAN IMPORTS CO., INC.; NEXTTEC  
INTERNATIONAL, INC.; and INNOVATIVE  
CUSTOM BRANDS INTERNATIONAL, INC.

Defendants.

05-CV-120-ST  
ORDER

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**BROWN, Judge.**

Magistrate Judge Janice M. Stewart issued Findings and Recommendation (#193) on July 6, 2006, in which she recommended this Court grant Defendant Mercury International Trading Corporation's Motion to Dismiss the Complaint for Lack of Personal Jurisdiction and Improper Venue (#42) with respect to lack of personal jurisdiction and deny the Motion as moot with respect to improper venue.

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the Findings and Recommendation *de novo*.

*United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (2003) (*en banc*). Having reviewed the legal principles, the Court does not find any clear error.

**CONCLUSION**

The Court **ADOPTS** Magistrate Judge Stewart's Findings and Recommendation (#193). Accordingly, the Court **GRANTS** Defendant Mercury International Trading Corporation's Motion to Dismiss the Complaint for Lack of Personal Jurisdiction and Improper Venue (#159) with respect to lack of personal jurisdiction and **DENIES** the Motion **as moot** with respect to venue.

IT IS SO ORDERED.

DATED this 28th day of August, 2006.

/s/ Anna J. Brown

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ANNA J. BROWN  
United States District Judge